

**RESOLUTION NO. 20100930-007**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire a certain real property interest for public purposes as set out below; and

**WHEREAS**, the City of Austin has attempted to purchase the real property interest but has been unable to agree with the owner on the damages thereof; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owners now having, or who may acquire, an interest in the real property interest needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to effect the needed acquisition.

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

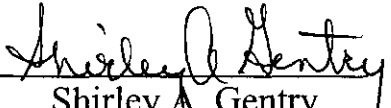
Owner: Carment Kiara

Project: Ft. Branch WMA Reach 6 & 7 – Truelight Area and Eleanor Drive Project

Public Purpose: the drainage easement described in the attached Exhibit "A" is necessary to construct structural improvements to stabilize the Fort Branch creek bank from erosion and increase the size of the creek to reduce the potential frequency and depth of flooding in the surrounding neighborhood.

Location: 1109 Lott Avenue, Austin, Texas

Property: Described in the attached and incorporated Exhibit A.

**ADOPTED:** September 30, 2010    **ATTEST:**   
Shirley A. Gentry  
City Clerk



STATE OF TEXAS  
COUNTY OF TRAVIS

(Drainage Easement)  
Lot 16, Block 4, Green Valley No. 1  
Fort Branch Creek Reach 6 & 7, Proj. No. 6039.059

### LEGAL DESCRIPTION

Field notes description for a parcel of land containing 0.016 of an acre of land, equivalent to 707 square feet of land, out of and a part of Lot 16, Block 4, Green Valley No. 1, a subdivision in the City of Austin, Travis County, Texas according to the map or plat thereof recorded in Book 5, Page 27 of the Plat Records of Travis County, Texas and being the same Lot 16, Block 4, Green Valley No. 1 which was conveyed to Carment Kiara by that certain General Warranty Deed dated June 16, 2005 and recorded in Document Number 2005126212 of the Official Public Records of Travis County, Texas; said parcel of land being more particularly described by metes and bounds, as follows, and as shown on the attached sketch:

**BEGINNING FOR REFERENCE** at a 1/2-inch iron rod found on the curving east right-of-way line of Lott Avenue (50' Right-of-Way) at the southwest corner of the above referenced Lot 16, Block 4, Green Valley No. 1, same being the northwest corner of Lot 17, said Block 4, from which a 1/2-inch iron rod found at a point of tangency on said east right-of-way line of Lott Avenue, same being the west line of said Lot 17, Block 4, bears a chord bearing of S22°40'57"W a distance of 63.26 feet; **Thence**, with the common line of said Lot 16 and said Lot 17, Block 4, S85°17'04"E a distance of 102.50 feet to an 80d nail set at the southeast corner of said Lot 16, Block 4, same being the northeast corner of said Lot 17, Block 4, for the south corner and **POINT OF BEGINNING** of this easement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, Combined Scale Factor 0.999923385) values of N= 10,072,277.73, E= 3,133,745.85;

**THENCE**, through said Lot 16, Block B, N01°32'32"E a distance of 63.27 feet to an 80d nail set on the north line of said Lot 16, Block 4, same being the south line of Lot 15, said Block 4, for the northwest corner of this easement;

**THENCE**, with the common line of said Lot 15 and said Lot 16, Block 4, S85°05'06"E a distance of 22.38 feet to an 80d nail set on the west line of a drainage easement dedicated to the public by said plat known as Fort Branch Creek, at the northeast corner of said Lot 16, Block 4, same being the southeast corner of said Lot 15, Block 4, for the northeast corner of this easement;



THENCE, with said west line of a drainage easement, same being the east line of said Lot 16, Block 4, S21°22'31"W a distance of 65.86 feet to the "POINT OF BEGINNING", and containing 0.016 of an acre of land, more or less.

**Basis of Bearing:**

Bearings mentioned on this easement are based on State Plane Coordinate System, NAD'83, Texas Central Zone 4203; Horizontal And Vertical Coordinates for Aus 5 And E.U.D. 169 as established and published by Texas Department Of Transportation and by the L.C.R.A. were used as the controlling monuments for this survey. Distances shown hereon are surface

**CERTIFICATION:**

I do hereby certify that this easement description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by  
Landmark Surveying, LP

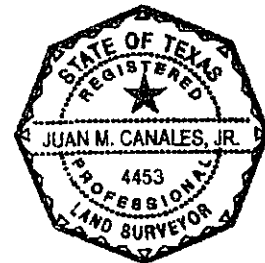
*Juan M. Canales, Jr.*  
Juan M. Canales, Jr.

Registered Professional Land Surveyor No. 4453  
Senior Project Manager  
Firm Registration No. 100727-00

*9-9-09*  
Date

**REFERENCES**

MAPSCO 2009, Page 586-U  
AUSTIN GRID NO. M-22  
TCAD PARCEL ID NO.02-0821-0643  
Lot 16, Blk 4, Green 1-Kiara-DE.doc  
1109 Lott Avenue



FIELD NOTES REVIEWED

By: *[Signature]* Date *10/21/09*

Engineering Support Section  
Department of Public Works  
and Transportation

## A circular arrow pointing to the left, indicating a previous page or section.

LOT 14  
S85°22'56"E 127'  
(S83°12'E 128')

**DRAINAGE  
EASEMENT  
0.016-ACRE  
(707-S.F.)**

S85°05'06"E 114.54'  
(S83°12'E 115')  
92 15'

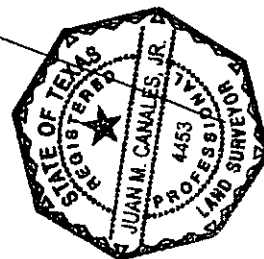
LOT 15  
CARMENT KIARA  
DOC. NO. 2005126212  
O.P.R.T.C.T.

LOTT AVENUE  
(50 R.O.W.)

P.O.B.  
N/10,072,277.73  
E/3,133,745.85  
(GRID)

S27°59'40"W 19.94'  
(S30°20'W 20.09')

Client: HDR  
Date: September 8, 2009  
Office: Stephen Lawrence  
Crew: J. Lee  
F.B.: 1153/32-33  
Path: c:\dwg 11\hdr\read  
Job No.: 492-08-01



SKETCH TO  
ACCOMPANY  
FIELD NOTES



**Landmark**  
SURVEYING, LP

1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78746

PH: (512)328-7411 FAX: (512)328-7413

**Exhibit "A"**  
**Page 3 of 4**

# LEGEND

- 1/2" Iron Rod Found  
(Unless Otherwise Noted)
- △ Calculated Point  
"Not Established on Ground"
- ▲ 80d Nail Set
- ▲ 60d Nail Found
- ( ) Record Information
- R.O.W. Right-of-Way
- P.O.B. Point of Beginning
- P.O.R. Point of Reference
- Bk. Book
- Pg. Page
- Vol. Volume
- D.E. Drainage Easement
- P.U.E. Public Utility Easement
- P.R.T.C.T. Plat Records  
Travis County, Texas
- D.R.T.C.T. Deed Records  
Travis County, Texas
- R.P.R.T.C.T. Real Property Records  
Travis County, Texas
- O.P.R.T.C.T. Official Public Records  
Travis County, Texas

## SURVEY OF A PORTION OF LOT 16, BLOCK 4, GREEN VALLEY NO. 1, THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS PAGE 4 OF 4

### LINE TABLE

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | N01°32'32"E | 63.27'   |
| L2   | S85°05'06"E | 22.38'   |

### CURVE TABLE

|  | CURVE | CHORD<br>BEARING          | CHORD<br>DISTANCE  | DELTA     | ARC<br>LENGTH      | RADIUS               |
|--|-------|---------------------------|--------------------|-----------|--------------------|----------------------|
|  | C1    | N04°48'35"E<br>(N06°58'E) | 1.93'<br>(1.91')   | 00°21'17" | 1.93'<br>1.91'     | 311.59'<br>(311.59') |
|  | C2    | N10°52'08"E<br>(N12°58'E) | 63.86<br>(63.30')  | 11°45'49" | 63.97'<br>(63.45') | 311.59'<br>(311.59') |
|  | C3    | S22°40'57"W<br>(S24°34'W) | 63.26'<br>(62.53') | 11°39'06" | 63.36'<br>(62.62') | 311.59'<br>(311.59') |

### Utility and Improvement Note:

Utilities and improvements exist on this tract, but are not shown hereon.

The property described hereon is contained within Zone AE as scaled from F.I.R.M. Map Number 48453C0470H, dated September 26, 2008, as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

### Restrictive Covenant and Easement Note:

- Drainage and Public Utility easements as recorded in Book 5, Page 27 of the Plat Records of Travis County, Texas DO NOT APPLY to the subject parcel, as shown hereon.

All easements of which I have knowledge and those recorded easements furnished by Alliant National Title Insurance Company, according to GF No. 00091754, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

I hereby certify that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

### BEARING BASIS NOTE:

STATE PLANE COORDINATE SYSTEM (GRID) NAD'83  
TEXAS CENTRAL ZONE 4203  
COMBINED SCALE FACTOR = 0.999923385  
NAVD'88 VERTICAL DATUM  
HORIZONTAL AND VERTICAL COORDINATES FOR AUS 5 AND E.U.D. 169 AS ESTABLISHED AND PUBLISHED BY TEXAS  
DEPARTMENT OF TRANSPORTATION AND BY THE L.C.R.A. WERE USED AS THE CONTROLLING MONUMENTS FOR THIS SURVEY.

AS SURVEYED BY  
LANDMARK SURVEYING, LP  
FIRM REGISTRATION NO. 100727-00

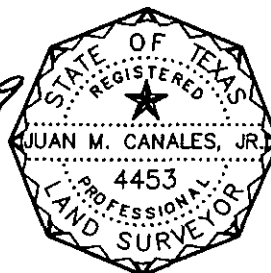
*Juan M. Canales, Jr. 9-9-09*  
JUAN M. CANALES, JR.

Registered Professional Land Surveyor No. 4453

DATE: September 8, 2009

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE  
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR

Client: HDR  
Date: September 8, 2009  
Office: Stephen Lawrence  
Crew: J. Lee  
F.B.: 1153/32-33  
Path: c:\dwg 11\hdr\reaches 6 and 7\grid\easements\fbwma-grid-base.dwg  
Job No.: 492-08-01



SKETCH TO  
ACCOMPANY  
FIELD NOTES

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